

DOCKET NO.: MSFT-0742/177739.01
Application No.: 10/039,036
Office Action Dated: July 12, 2005

PATENT

Amendments to the Drawings

The attached sheet(s) of drawings includes changes to Fig(s) 5. The sheet(s), which includes Fig(s) 5, replaces the original sheet(s) including Fig(s) 5.

Attachment: Replacement Sheet(s)

REMARKS

Claims 1-74 are pending with claims 1, 27 and 52 being the independent claims. The specification and drawings have been amended herein in response to various formal objections. No new matter was added.

Objections to the Drawings

In the Official Action, dated July 22, 2005, the drawings were objected to for including shading in Fig. 5 that does not scan well. In the replacement drawings submitted herewith, the shading of Fig. 5 has been removed. Withdrawal of the objection to the drawings is respectfully requested.

Rejections to the Claims under 35 U.S.C. § 112

In the Official Action, dated July 22, 2005, claims 15, 41 and 66 were rejected under 35 U.S.C. § 112 as allegedly indefinite for reciting compilation of “runtime.”

Additionally, claims 1-74 were objected to for the use of the phrase “submitting, transmitting, executing, etc.” a “command buffer.” In consideration of the rejection, Applicants have variously amended claims 1-74 to indicate that the use of command buffer is recognizable to one of ordinary skill in the art as referring to the data or commands of a command buffer.

Finally, claims 24-26 and 50-51 were objected to as to a matter of dependent versus independent form. Claims 24-26 and 50-51

Without conceding the propriety of the above objections to the claim language, in view of the amendments herein, the outstanding rejections under 35 U.S.C. § 112 are

believed moot. Reconsideration and withdrawal of the rejections to claims 1-74 under 35 U.S.C. § 112 is thus respectfully requested.

Rejections to the Claims under 35 U.S.C. § 101

In the Official Action, dated July 22, 2005, claims 24-27 and 52 were rejected under 35 U.S.C. § 101 for allegedly including recitations not tangibly embodied in a manner to be executable. Claims 24-26 have been canceled herein without prejudice, and thus the rejection to claims 24-26 is believed moot. In consideration of the rejection, claim 27 has been amended to make it explicit that the computer readable medium recited therein is *tangibly embodied* as opposed to a mere electrical signal. Withdrawal of the rejection to claims 27 to 49 is thus respectfully requested.

With respect to claim 52, Applicants fail to understand how a computing device including a host processor for controlling the computational resources of at least one coprocessor in a host computing system can be considered to include “no hardware.” Applicants have switched around the order of words by amendment herein to make such hardware more apparent. Clarification or withdrawal of the rejection to claims 52-74 under 35 U.S.C. § 101 is thus respectfully requested.

Rejections to the Claims under 35 U.S.C. § 103

In the Official Action, dated July 22, 2005, claims 1-13, 16-39, 42-64 and 67-74 were rejected under 35 U.S.C. § 103 over U.S. Patent No. 5,577,250 (Anderson) in view of U.S. Patent No. 6,487,642 (Duruz). Claims 14-15, 40-41 and 65-66 were rejected under 35

U.S.C. § 103 over Anderson in view of Duruoz in view of U.S. Patent No. 6,473,777 (Hendler).

The Official Action alleges that Col. 10, lines 6-17 of Anderson disclose “transmitting, by the at least one coprocessor, data back to the host computing system in response to commands.” But Applicants respectfully submit that this language is not claimed by Applicants and respectfully request reconsideration of the claim language actually recited by Applicants. In this regard, nowhere can Anderson at Col. 10, lines 6-17, or elsewhere, be said to teach or suggest “transmitting, by the at least one coprocessor, data back to the host computing system **in response to commands in at least one command buffer of the command buffers,**” as claimed in exemplary claim 1.

Col. 10, lines 6-17 is merely understood to disclose that decompressed audio data processed by a DSP is output by a speaker, however, entirely fails to disclose at least that such speaker output is *in response to commands in at least one command buffer of the command buffers.*

Duruoz was cited for its disclosure relating to command buffers, but also fails to disclose this step. Specifically, Duruoz is merely understood to disclose storing the last 16 executed commands in a DRAM command done buffer if acknowledgment is required by the host processor (See Col. 6, lines 57-63). Claims 27 and 52 include similar limitations and are believed allowable at least for the same reasons.

Claims 2-23, 28-49 and 53-74 depend from claims 1, 27 and 52, respectively, and are believed allowable for the same reasons. Withdrawal of the rejection to claims 1-23, 27-49 and 52-74 is thus earnestly solicited.

Moreover, as is a well known proposition, “[o]bviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art.” MPEP 2143.01.

Applicants respectfully submit that the fact that the system of Anderson requires immediate execution of commands, as admitted in the Official Action on page 6, would lead one away from using a buffering system. In other words, Applicants respectfully submit that there is clear *anti-motivation* to combine Duruoz and Anderson in the present case, as found within the references themselves, because one of ordinary skill in the art would be dissuaded from combining Duruoz and Anderson due to the conflicting requirements of the respective systems.

Since, as described above, nowhere can Anderson and/or Duruoz be said to teach or suggest Applicants’ invention, as recited in claims 1, 27 and 52, Applicants respectfully submit that Anderson and Duruoz, whether taken alone or in combination, fail to teach or suggest “transmitting, by the at least one coprocessor, data back to the host computing system in response to commands in at least one command buffer of the command buffers,” as recited in claims 1, 27 and 52. Withdrawal of the rejection under 35 U.S.C. § 103 to claims 1, 27 and 52 is respectfully requested.

CONCLUSION

Accordingly, Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Office Action, and submit that Claims 1-23, 27-49 and 52-74 of the application are in condition for allowance. Favorable consideration and passage to issue of the application at the Examiner's earliest convenience is earnestly solicited.

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